

Case Number: 180748

23 September 2019

Saddleback Mountain Estates No 2 Pty Ltd
C/- Simply Water and Sewer Pty Ltd

FEASIBILITY LETTER

Developer: Saddleback Mountain Estates No 2 Pty Ltd

Your reference: 210067

Development: Lot 17 DP 1210621 2 Caliope St, Kiama

Development Description: Current: Vacant.

Proposed: 21 Lot (plus residue) Community Title Subdivision (seniors living).

The developer has lodged a fresh Site Compatibility Certificate Application with the Department of Planning the seniors estate for the reason that the 2 year shelf life under the original approved Site Compatibility Certificate had lapsed. This department requires a feasibility letter from Sydney Water (and other authorities)

Your application date: 3 September 2019

Note: Level 1 water restrictions are now in place, which limits how and when water can be used outdoors. This can impact you and your contractors in the activities they need to undertake for this proposal.

Using water to suppress dust is not restricted, but this does mean that you/your contractors will need to apply for an exemption permit to use water for most outdoor uses including:

- Cleaning equipment and the exterior of new buildings
- Drilling and boring, and
- Batching concrete on-site

Fines for deliberate breaches of restriction rules apply from 1 September 2019.

For more information on the restrictions and for applying for an exemption, visit our web site at <http://www.sydneywater.com.au/SW/water-the-environment/what-we-re-doing/water-restrictions/index.htm>

The more water everyone saves, the longer we can stave off the progression to stricter restrictions or emergency measures.

Please provide this information to your contractors and delivery partners to inform them of their obligations.

Dear Applicant

This Feasibility Letter (Letter) is a guide only. It provides general information about what Sydney Water's requirements could be if you applied to us for a Section 73 Certificate (Certificate) for your proposed subdivision. **The information is accurate at today's date only.**

If you obtain development consent for that subdivision from your consent authority (this is usually your local Council) they will require you to apply to us for a Section 73 Certificate. You will need to submit a new application (and pay another application fee) to us for that Certificate by using your current or another Water Servicing Coordinator (Coordinator).

Sydney Water will then send you either a:

- Notice of Requirements (Notice) and Developer Works Deed (Deed) or
- Certificate.

These documents will be the definitive statement of Sydney Water's requirements.

There may be changes in Sydney Water's requirements between the issue dates of this Letter and the Notice or Certificate. The changes may be:

- if you change your proposed development eg the development description or the plan/site layout, after today, the requirements in this Letter could change when you submit your new application; and
- if you decide to do your development in stages then you must submit a new application (and pay another application fee) for each stage.

No warranties or assurances can be given about the suitability of this document or any of its provisions for any specific transaction. It does not constitute an approval from Sydney Water and to the extent that it is able, Sydney Water limits its liability to the reissue of this Letter or the return of your application fee. You should rely on your own independent professional advice.

What You Must Do To Get A Section 73 Certificate In The Future.

To get a Section 73 Certificate you must do the following things. You can also find out about this process by visiting www.sydneywater.com.au > Plumbing, building & developing > Developing > Land development.

1. **Obtain Development Consent from the consent authority for your subdivision proposal.**
2. **Engage a Water Servicing Coordinator (Coordinator).**

You must engage your current or another authorised Coordinator to manage the design and construction of works that you must provide, at your cost, to service your subdivision. If you wish to engage another Coordinator (at any point in this process) you must write and tell Sydney Water.

For a list of authorised Coordinators, either visit www.sydneywater.com.au > Plumbing, building & developing > Developing > Providers > Lists or call **13 20 92**.

The Coordinator will be your point of contact with Sydney Water. They can answer most questions that you might have about the process and developer charges and can give you a quote or information about costs for services/works (including Sydney Water costs).

3. **Developer Works Deed**

It would appear that your feasibility application is served from existing mains and does not require any works to be constructed at this time. Sydney Water will confirm this with you after you have received Development Approval from Council and your Coordinator has submitted a new Development application and Sydney Water has issued you with a formal Notice of Requirements.

4. **Water and Sewer Works**

4.1 **Water**

Each lot in your subdivision must have:

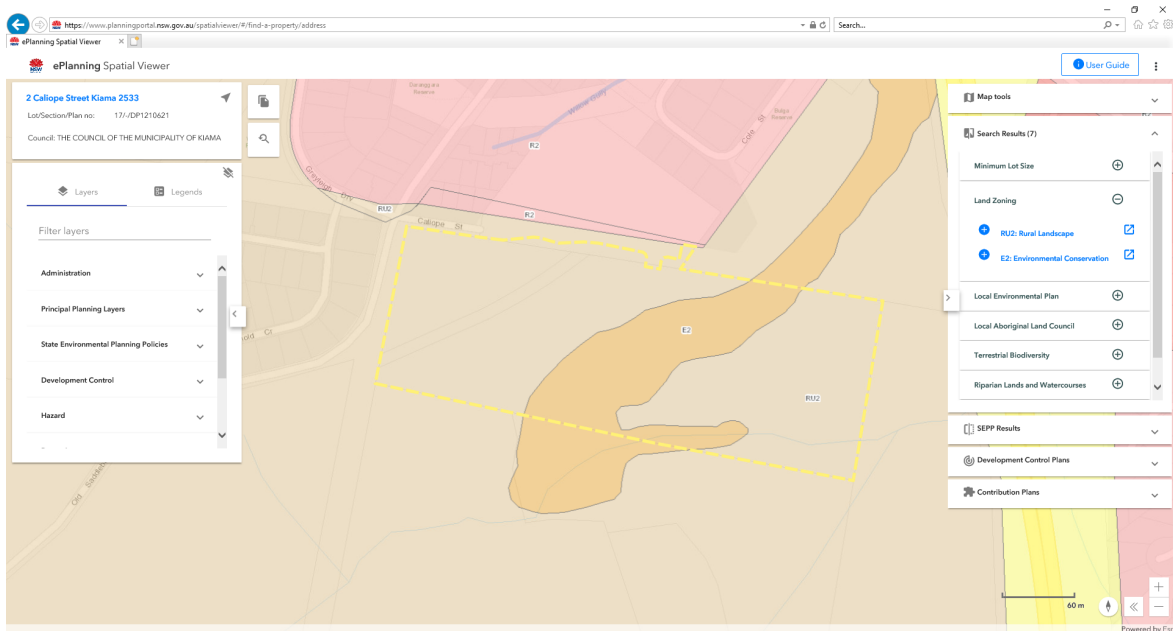
- a frontage to a drinking water main that is the right size and can be used for connection; and
- its own connection to that water main and a property service (main to meter) that is available for the fitting of a meter.

Sydney Water has assessed your application and found that:

- This site is not located within a growth precinct. (See Figure 3).

- The proposed development requires a 150mm main.
- Amplifications will be required from the closest 150mm main.

Figure 3 – Land Zoning



- **You must provide a water service connection and property service (also known as a “property service (main to meter)”) at your cost for all lots off the water main construction required above and your Coordinator must manage the work. See section below for details.**

- **Property Service (Main to Meter) Installation Details**

The property service connection must be carried out by a Sydney Water listed Driller and the installation of the property service must either be carried out or supervised by a licensed plumber. They must meet the:

- Administrative requirements of the New South Wales Code of Practice for Plumbing and Drainage; and
 - Sydney Water Property Service (Main to Meter) Installations Technical Requirements.
- **Before the Certificate can be issued, your Coordinator must give Sydney Water certification that the property service works comply with Sydney Water’s requirements.**

4.2 Sewer

Each lot in your subdivision must have a sewer main that is the right size and can be used for connection. That sewer must also have a connection point within each lot's boundaries.

Sydney Water has assessed your application and found that:

- The site is not located within a growth precinct. (See Figure 3 above).
- The 150mm main constructed under CASE145461WW can provide a point of connection.
- Extensions will be required.

5. Ancillary Matters

5.1 Asset adjustments

After Sydney Water issues this Notice (and more detailed designs are available), Sydney Water may require that the water main/sewer main/stormwater located in the footway/your property needs to be adjusted/deviated. If this happens, you will need to do this work as well as the extension we have detailed above at your cost. The work must meet the conditions of this Notice and you will need to complete it **before we can issue the Certificate**. Sydney Water will need to see the completed designs for the work and we will require you to lodge a security. The security will be refunded once the work is completed.

5.2 Entry onto neighbouring property

If you need to enter a neighbouring property, you must have the written permission of the relevant property owners and tenants. You must use Sydney Water's **Permission to Enter** form(s) for this. You can get copies of these forms from your Coordinator or the Sydney Water website. Your Coordinator can also negotiate on your behalf. Please make sure that you address all the items on the form(s) including payment of compensation and whether there are other ways of designing and constructing that could avoid or reduce their impacts. You will be responsible for all costs of mediation involved in resolving any disputes. Please allow enough time for entry issues to be resolved.

OTHER THINGS YOU MAY NEED TO DO

Shown below are other things you need to do that are NOT a requirement for the Certificate. They may well be a requirement of Sydney Water in the future because of the impact of your development on our assets. You must read them before you go any further.

Approval of your building plans

Please note that the building plans must be approved when each lot is developed. This can be done at Sydney Water Tap inTM. Visit www.sydneywater.com.au > Plumbing, building & developing > Building > Sydney Water Tap inTM.

This is not a requirement for the Certificate but the approval is needed because the construction/building works may affect Sydney Water's assets (e.g. water, sewer and stormwater mains).

Where a Sydney Water stormwater channel, pipe or culvert is located within ten (10) metres of your development site it must be referred to Sydney Water for further assessment.

Your Coordinator can tell you about the approval process including:

- Possible requirements;
- Costs; and
- Timeframes.

Note: You must obtain our written approval before you do any work on Sydney Water's systems. Sydney Water will take action to have work stopped on the site if you do not have that approval. We will apply Section 44 of the *Sydney Water Act 1994*.

Community Title Development – Water and Sewer Works

All lots in this proposed development must have a satisfactory point of connection to a Sydney Water sewer main and water main.

These are the 4 ways this can happen. Either:

- A. You can extend Sydney Water's existing water and sewer mains and, where required, install a water property service (main to meter) to our standards to provide a point of connection for each lot; or
- B. You can provide private services within your development to provide a point of connection for each lot, covering maintenance and renewal of these services within your management plans, unless Sydney Water requires servicing as outlined in C below; or
- C. Where it is likely that sometime in the future there will need to be an extension to other properties through the Community Title development, then that extension line must be a Sydney Water reticulation main to our standard (the same as option A above). The other lines can be private lines; or
- D. You may provide a combination of Sydney Water mains and private services, provided that any likely future extensions to other properties must comply with option C above.

This means that you will have satisfactory points of connection if you either:

Extend the Sydney Water mains after you engage a Water Servicing Coordinator and sign a Developer Works Deed.

Note: If it is a water main you will need a Sydney Water easement.

OR

Make your own private service arrangements.

If you choose this option you must meet **all** of the following conditions:

- (a) Any private water-related service constructed by you (the Developer) must meet at least the Plumbing Code of Australia. Private services, including a pumping station, will only be accepted if the discharge meets our requirements so you will need to give us discharge rate and quality details before we can accept a proposal for a pumping station.

Notes:

- In unusual situations such as low pressure water areas, steep terrain or for long lengths of service line, you may have to have a bigger service line than that required by the Plumbing Code of Australia; **and**
- Sometimes you may have to have one connection to our water main and a single water service laid to the property boundary where individual services can then be laid off this pipe to serve individual properties.

- (b) The private water lines are your responsibility alone;
- (c) If, in the future someone wants a Sydney Water extension to replace the private services, then the extension (and property service (main to meter) where this applies) will have to be to Sydney Water's standards including any easements. Whoever wants the extension will have to build it and pay for it and transfer it to us;
- (d) Sydney Water generally will not maintain private services;
- (e) Clauses (b) – (e) cannot be deleted, varied or modified without the written consent of Sydney Water; and
- (f) You (the Developer) should inform the purchasers of lots in the community title about the existence and implications of the private service.

Sydney Water is determined to be safe from future claims against us for the quality of private lines and from pressure to extend our lines. To achieve this, we will only issue a Section 73 Certificate after there are clauses covering these points in the Community Management Statement. The Development Services Officer will decide if what has been written is satisfactory and the conditions above may only be deleted with our written consent.

You must also tell that Development Services Officer your connection arrangements. **If you do not do this, your project may well be seriously delayed.**

Please note that each lot in the development, including any community property lot, with a demand for water must have a separate service and meter.

Visit www.sydneywater.com.au > Plumbing, building & developing > Plumbing to find out more about our connection and metering requirements.

The meter must be placed so it meets our accessibility requirements.

Backflow Prevention Water supply connections

A backflow prevention containment device appropriate to the property's hazard rating must be installed at the property boundary. The device is to be installed on all water supplies entering the property, regardless of the supply type or metering arrangements. It is needed to reduce the risk of contamination by backflow from these supplies.

A licensed plumber with backflow accreditation can advise you of the correct requirements for your property. To view a copy of Sydney Water's Backflow Prevention Policy and a list of backflow accredited plumbers visit www.sydneywater.com.au > Plumbing, building & developing > Plumbing > Backflow prevention.

The water service for your development

Sydney Water does not consider whether the existing water main(s) talked about above is adequate for fire fighting purposes for your development. We cannot guarantee that this water supply will meet your Council's fire fighting requirements. The Council and your hydraulic consultant can help.

You must make sure that each dwelling/lot has its own 20mm meter.

When access to the water supply is required, the property owner or agent must apply to Sydney Water online. Sydney Water must install a water meter before any water is used. It is illegal for anyone other than a Sydney Water employee to remove the locking mechanism on the water meter.

The online application can be found by visiting our website www.sydneywater.com.au > Plumbing, building & developing > Plumbing > Connections & disconnections. The applicant will need to have the:

1. Account (Property) Number which can be obtained from the Coordinator; and
2. Serial Number which can be found on the metal tag on your property service.

You can find more information by using the "Ask Sydney Water" section of our website.

Water Mains Not in Dedicated Public Roads

If you have to construct a water main to get a Section 73 Certificate and this water main is not in a dedicated public road or pathway, you have to pay to create an easement in favour of Sydney Water. The easement will also have to include conditions about adequate drainage. (See condition (b) below.)

Your Design Consultant must take this requirement into account when designing the works.

You will not be given a **Section 73 Certificate** until:

- (a) the water main(s) have been constructed: **and**
- (b) the main can be flushed by Sydney Water without the discharge of water onto private property. This condition must be incorporated in the easement documentation; **and**
- (c) you have paid to have a survey and the survey has been completed, **before the trenches are backfilled**, to define the centreline of each water main; **and**
- (d) all plans and documents relating to the easement have been approved by Sydney Water; **and**
- (e) you have paid our related costs; **and**
- (f) you have paid the security we require for each easement until it is registered.

You can get all the easement details from Sydney Water's Group Property, 1 Smith Street, Parramatta 2150. Ph: (02) 8849 6223 or (02) 8849 5647.

Fire Fighting

Definition of fire fighting systems is the responsibility of the developer and is not part of the Section 73 process. It is recommended that a consultant should advise the developer regarding the fire fighting flow of the subdivision and the ability of Sydney Water's system to provide that flow in an emergency. Sydney Water's Operating Licence directs that Sydney Water's mains are only required to provide domestic supply at a minimum pressure of 15 m head.

Disused Water Service Sealing

You must pay to disconnect all disused private water services and seal them at the point of connection to a Sydney Water water main. This work must meet Sydney Water's standards in the Plumbing Code of Australia (the Code) and be done by a licensed plumber. The licensed plumber must arrange for an inspection of the work by a NSW Fair Trading Plumbing Inspection Assurance Services (PIAS) officer. After that officer has looked at the work, the drainer can issue the Certificate of Compliance. The Code requires this.

Disused Sewerage Service Sealing

Please do not forget that you must pay to disconnect all disused private sewerage services and seal them at the point of connection to a Sydney Water sewer main. This work must meet Sydney Water's standards in the Plumbing Code of Australia (the Code) and be done by a licensed drainer. The licensed drainer must arrange for an inspection of the work by a NSW Fair Trading Plumbing Inspection Assurance Services (PIAS) officer. After that officer has looked at the work, the drainer can issue the Certificate of Compliance. The Code requires this.

Soffit Requirements

Please be aware that floor levels must be able to meet Sydney Water's soffit requirements for property connection and drainage.

Other fees and requirements

The requirements in this Notice relate to your Certificate application only. Sydney Water may be involved with other aspects of your development and there may be other fees or requirements. These include:

- plumbing and drainage inspection costs;
- the installation of backflow prevention devices; and
- council fire fighting requirements. (It will help you to know what the fire fighting requirements are for your subdivision as soon as possible. Your hydraulic consultant can help you here.)

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